This listing of claims will replace all prior versions, and listings, of claims in the application:

<u>Listing of Claims</u>:

Claim 1 (Currently Amended): An image processing method, comprising the steps of:

providing image data produced by an image-producing device, and image production

record information related to the image data<u>, the image production record information being</u>

<u>produced by the image-producing device</u>; and

executing a trimming process upon determining whether or not to trim the image data

based on the image production record information.

Claim 2 (Original): An image processing method according to claim 1, wherein

the image production record information includes at least exposure program

information and photograph scene information, and

the trimming process is executed when the exposure program information and

photograph scene information meet specific conditions.

Claim 3 (Original): An image processing method according to claim 2, wherein

the specific conditions include selection of a normal program which is set as default

for the exposure program information, and selection of a standard scene which is set as

default for the photograph scene information.

Claim 4 (Original): An image processing method according to claim 1, wherein

the image production record information includes at least subject area information

representing a subject area in an image; and

the trimming process is terminated when the subject area will be cut as a result of the

trimming.

Claim 5 (Original): An image processing method according to claim 1, wherein

the trimming process is a process in which an image is enlarged or reduced, while

preserving an aspect ratio, to a size encompassing a designated image output size, and

portions extending outside the image output size are cut off.

Claim 6 (Currently Amended): An image-processing device for processing an image using

image data produced by an image-producing device, and image production record information

related to the image data, comprising:

an image data processor for executing a trimming process upon determining whether

or not to trim the image data based on the image production record information, the image

production record information being produced by the image-producing device.

Claim 7 (Currently Amended): An output device for outputting an image using image data

produced by an image-producing device, and image production record information related to

the image data, comprising:

an image information processor for executing a trimming process upon determining

whether or not to trim the image data based on the image production record information, the

image production record information being produced by the image-producing device; and

an image output unit for outputting an image according to the image data processed by

the image information processor.

Claim 8 (Currently Amended): A computer program product for executing an image

process using image data produced by an image-producing device, and image production

record information related to the image data, the computer program <u>product</u> comprising:

a computer-readable <u>storage</u> medium; and

a computer program stored on the computer-readable <u>storage</u> medium, the computer

program including a program for causing a computer to run a trimming process upon

determining whether or not to trim the image data based on the image production record

information<u>, the image production record information being produced by the image-producing</u>

<u>device</u>.

REMARKS

Claims 1-8 are pending in this application.

Applicants have amended claims 1 and 6-8. The changes to the claims made herein do not introduce any new matter.

Claim Objection

In response to the objection to claim 1, Applicants note that the word "date" does not appear in original claim 1. As such, claim 1 does not include the informality noted by the Examiner.

Rejections Under 35 U.S.C. § 102

Applicants respectfully request reconsideration of the rejection of claims 1-3 and 6-8 under 35 U.S.C. § 102(e) as being anticipated by *Gignac* (U.S. Patent App. Publication No. US 2004/0239982 A1). As will be explained in more detail below, the *Gignac* reference does not disclose each and every feature specified in independent claims 1 and 6-8, as amended herein.

Applicants have amended each of independent claims 1 and 6-8 to specify that the image production record information is produced by the image-producing device. Support for this change may be found in Applicants' specification at, for example, Paragraph 0031.

In Paragraph 0057, the *Gignac* reference describes the individual cropping of images, and indicates that an image can be subjected to manual cropping. In the manual cropping process, "[t]he user selects from a series of boxes, either portrait, landscape or letter box and then completes a manual cropping." Paragraph 0057, lines 10-12. As such, the *Gignac* reference does not disclose either of the following claimed features: 1) image data and image production record information are provided, with both the image data and the image production record information being produced by the image-producing device; and 2) a trimming process is executed according to a result of a determination on whether or not to

trim the image data based on the image production record information produced by the image-producing device.

Accordingly, for at least the foregoing reasons, claims 1 and 6-8, as amended herein, are patentable under 35 U.S.C. § 102(e) over *Gignac*. Claims 2 and 3, each of which ultimately depends from claim 1, are likewise patentable under 35 U.S.C. § 102(e) over *Gignac* for at least the same reasons set forth above regarding claim 1.

Applicants respectfully request reconsideration of the rejection of claims 1, 4, and 6-8 under 35 U.S.C. § 102(e) as being anticipated by *Enomoto* (U.S. Patent No. US 6,801,334 B1). As will be explained in more detail below, the *Enomoto* reference does not disclose each and every feature specified in independent claims 1 and 6-8, as amended herein.

The *Enomoto* reference describes that the cropping range is manually specified by the operator or user (see column 57, line 27 through column 59, line 67). Thus, the *Enomoto* reference does not disclose the above-identified features 1) and 2) of the claimed subject matter. Moreover, although the *Enomoto* reference teaches that the cropping is performed based on a cropping-inhibited region, the cropping-inhibited region does not correspond to the image production record information produced by the image-producing device in the claimed subject matter. In particular, *Enomoto* explains in column 57, lines 28-60, that the cropping-inhibited region is a region obtained by omitting a cropping-permitted region, and that the cropping-permitted region is determined through distortion aberration correction processing that is performed on the image data. As such, neither the cropping-inhibited region nor the cropping-permitted region corresponds to the image production record information produced by the image-producing device specified in the claimed subject matter.

Accordingly, for at least the foregoing reasons, claims 1 and 6-8, as amended herein, are patentable under 35 U.S.C. § 102(e) over *Enomoto*. Claim 4, which depends from claim